

The 14th September, 1984

No. 9/5/84-6Lab./5883.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of the Haryana Agro Foods and Fruit Processing Plant Murthal, Sonapat :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 144 of 82

between

SHRI RAM KA WAR, WORKMAN AND THE MANAGEMENT OF THE HARYANA AGRO FOODS AND FRUIT PROCESSING PLANT MURTHAL, SONEPAT.

Present :—

Shri Bahadur Yadav, A. R. for the workman.

Shri Surinder Kaushal, A. R. for the management.

AWARD

In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, to this Court, between Shri Ram Kaur, workman and the management of the Haryana Agro Foods and Fruit Processing Plant Murthal, Sonapat, for adjudication,—vide Labour Department Notification No. ID/SPT/37/82/34276, dated 22nd July, 1983 :—

Whether the termination of services of Shri Ram Kaur, was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the order of reference, usual notice were sent to the parties. The parties appeared. After the workman had filed claim statement, the respondent management reply and before the case could proceed further, the workman settled his claim with the respondent management. His statement has been recorded in that behalf. He has stated that the management has agreed to reinstate him but he has given up his claim regarding back wages. So, I find that the termination of service of the workman was illegal, but since the workman has voluntarily relinquished his claim regarding back wages, the same cannot be awarded to him. However, he shall have benefit of continuity service. The reference is answered and returned accordingly. There is no order as to cost.

Dated, the 10th August, 1984.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

Endst. No. 144-82/2788, dated 21st August, 1984.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab./5935.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Super Auto India, Plot No. 50, Sector-6, Faridabad.

BEFORE SHRI R.N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 317/1983

between

SHRI RAJBIR SINGH WORKMAN AND THE MANAGEMENT OF M/S SUPER AUTO INDIA PLOT NO. 50, SECTOR-6, FARIDABAD.

Present :—

Shri P. N. Dwivedi for the workman.

Shri J. S. Saroha for the management.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following disputes between Shri Rajbir Singh workman and the Management of M/s Super Auto India Plot No. 50, Sector-6, Faridabad, to this Tribunal, for adjudication :-

Whether the termination of services of Shri Rajbir Singh was justified and in order ? If not, to what relief is he entitled ?

Notices were issued to both the parties. On last date hearing Shri P. N. Dwivedi, representative the management, stated that the dispute between the workman and management had already been settled *vide* settlement Ex. M-1 and that workman had received the amount due to him in full and final settlement of his claim and that no dispute had now been left between the parties. Shri P. N. Dwivedi representative of the workman stated that he had heard the statement made by the representative of the Management which was correct and that the workman had already received the amount from the Management in full and final settlement of his claim and had satisfied himself from the workman in that respect and there remained no dispute between the parties. In view of the testimony of Shri J. S. Saroha representative of the Management and Shri P. N. Dwivedi, representative of the Workman and recitals made in the document Ex. M-1 the dispute between the parties stands settled.

Dated the 23rd August, 1984.

R.N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endst. No. 805, dated 23rd August, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

R.N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 17th September, 1984.

No. 9/5/84-Lab/6094.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Taylor Instruments Company (India) Ltd., Mathura Road, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 81 of 1984

between

SHRI SHAYAMAL BANERJI, WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S
TAYLOR INSTRUMENTS COMPANY (INDIA) LTD., MATHURA ROAD, FARIDABAD

Present—

Shri R.W. Ghai for the respondent management
None for the workman.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana, *vide* his order No. ID/FD/34/84/16753-58, dated 30th April, 1984 under Section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Shyamal Banerjee, and the respondent management of M/s Taylor Instruments Company (India) Ltd., Mathura Road, Faridabad. The term of the reference was :—

Whether the termination of service of Shri Shyamal Banerji was justified and in order ? If not to what relief is he entitled ?

The representative of the respondent management has made a statement that the workman has settled his dispute with the respondent and received his full and final.—vide Ex. M-1. The copy of receipt is Ex. M-2. The workman has also no right of reinstatement/re-employment.

In view of the statement of both the parties there is no dispute between the parties and the dispute has been settled.

Dated 2nd August, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. , dated

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under Section 15 of the I.D. Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/6038. —In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Indian Leather Works, 98 D. L. F., Industrial Estate No. 1, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 272 of 1983

between

SHRI SUDHIR PARSHAD WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S. INDIAN
LEATHER WORKS, 98, D. L. F. INDUSTRIAL ESTATE NO. 1, FARIDABAD

Present

Shri Darshan Singh, for the workman,
None, for the respondent management.

AWARD

This reference has been referred to this court, by the Hon'ble Governor of Haryana,—vide his order N. ID/FD/16708-14, dated the 7th September, 1983 under section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication of the Industrial dispute existing between Shri Sudhir Parshad workman and the respondent management of M/s. Indian Leather Works, 98, D. L. F. Industrial Estate No. 1, Faridabad. The terms of the reference was :—

Whether the termination of service of Shri Sudhir Parshad workman was justified and in order ? If not, to what relief is he entitled ?

According to the demand notice the workman was dismissed on 27th January, 1983 illegally. The respondent was represented by Shri K. K. Prasher, but on 1st August, 1984 he did not appear and the respondent was proceeded *ex parte*. In *ex parte* evidence. The workman appeared as WW-1 and has stated that he joined the respondent on 25th December, 1979 and the services were terminated on 27th January, 1983. It is therefore clear that he has completed more than one year. Hence his services could not be terminated without following the provisions of Section 25-I of the Industrial Disputes Act. I, therefore, find that the services of the workman were illegally terminated. So he is entitled for reinstatement with continuity of services and full back wages.

Award is given accordingly.

Dated the 8th August, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endstt. No. 1744, dated the 27th August, 1984.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh. as required under section 15 of the Industrial Disputes Act, 1947.

R.N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.